

**State of Idaho****DEPARTMENT OF WATER RESOURCES****1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098****Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us****DIRK KEMPTHORNE**
Governor**KARL J. DREHER**
Director

May 13, 2002

Jim Gregory
Big Lost Ranch Manager
5306 Zollinger Rd.
Mackay, ID 83251

RE: Correspondence dated January 21, 2002 - Request for exemption from measuring device and lockable control works requirements.

Mr. Gregory,

Doug Rosenkrance of Water District 34 and Steve Burrell of IDWR inspected your diversion site on March 9, 2002 for consideration of your exemption request. Based on this visit, we have approved the exemption provided the following conditions are met:

- 1.) Nothing other than gravity flow is used for diverting water.
- 2.) The existing diversion invert elevation is not lowered.

This decision is based on the appearance that your diversion would satisfy Water District 34 Water Distribution Rule 35.06, since your diversion could not be measured or controlled due to flooding conditions that exist primarily when water is available for diverting. Any alterations to this diversion or non-compliance with the above two conditions will nullify this exemption and require the installation of a measurement device in accordance with Water Distribution Rule 35.01.

If you have any questions or require any further assistance, contact me directly at (208) 327- 5407.

Sincerely,

Steve Burrell, P.E.
Water Allocationscc: Doug Rosenkrance, Water District 34
Water District File



